

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-cv-504-BO

JAMES BAGGOTT, *on behalf of himself*)
and all others similarly situation,)
)
 Plaintiff,)
)
 v.)
)
 ABC PHONES OF NORTH CAROLINA,)
)
 Defendant.)

ORDER

This matter is before the Court on defendant's motion [DE 11] to stay.

This Fair Labor Standards Act putative collective action alleges that defendant failed to pay employees the full amount of straight time and overtime compensation owed to them. Pending in a similar case against the same defendant in the Western District of Tennessee is a motion to approve settlement which may resolve many of the claims in this case. *See O'Bryant v. ABC Phones of North Carolina, Inc.*, No. 2:19-cv-02378 (W.D. Tenn.). Defendant asks the Court to stay this action pending resolution of the settlement motion.

A district court has inherent authority to manage its docket to promote "economy of time and effort for itself, counsel, and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 254–55 (1936). When determining whether to stay proceedings, a district court generally considers "(1) the interests of judicial economy; (2) hardship and equity to the moving party if the action is not stayed; and (3) potential prejudice to the non-moving party." *Johnson v. DePuy Orthopaedics, Inc.*, No. 3:12-CV-2274-JFA, 2012 WL 4538642, at *2 (D.S.C. Oct. 1, 2012) (citation omitted). The Court, having considered these factors, finds that a stay is warranted.

Accordingly, the motion to stay [DE 11] is GRANTED. This action is STAYED pending the resolution of the motion to approve settlement in *O'Bryant v. ABC Phones of North Carolina, Inc.*, No. 2:19-cv-02378 (W.D. Tenn.). The parties should file a report with the Court every 60 days from the date of this order discussing the status of the motion in *O'Bryant*.

SO ORDERED, this 1 day of May, 2020.


TERRENCE W. BOYLE
CHIEF UNITED STATES DISTRICT JUDGE